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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: RODRIGUEZ ET AL. ART GROUP: 2612
APPL. NO.: 09/896,231 EXAMINER: NOT ASSIGNED
FILED: JUNE 29, 2001 DOCKET NO.: A-7259
TITLE: BANDWIDTH ALLOCATION AND PRICING SYSTEM FOR
DOWNLOADABLE MEDIA CONTENT

DECEMBER 20, 2001

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith for filing in the above-identified patent application, please find:

- 1. X 2 Page Information Disclosure Statement
- 2. X Form PTO-1449
- 3. X Copy of Cited Art
- 4. X Return Postcard

In the event a fee is required, the Commissioner is hereby authorized to charge payment of any fees required in connection with this Information Disclosure Statement to our Deposit Account No. 19-0761. A duplicate copy of this letter is transmitted herewith.

Respectfully submitted:

SEND CORRESPONDENCE TO:

Scientific-Atlanta, Inc.
Intellectual Property Dept. MS 4.3.518
5030 Sugarloaf Parkway
Lawrenceville, GA 30044

By: Kelly A. Gardner
KELLY A. GARDNER
Attorney of Record
Reg. No.: 35,147
Phone: (770) 236-7866
Fax No.: (770) 236-4806

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
Washington, DC 20231

on DECEMBER 20, 2001.

Maryellen Licker
Maryellen Licker



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

This information disclosure statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, and specifically:

- ☒ under 37 CFR 1.97(b), or
(within Three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:
☐ Statement Under 37 C.F.R. 1.97(e), or
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before the final office action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:
☐ Statement under 37 CFR 1.97(e), and
☐ a \$180.00 petition fee set forth in 37 CFR 1.17(i)(1).
(Filed after final office action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Please charge \$0.00 to deposit account 19-0761. At any time during the pendency of this application, please charge any fees required to Deposit Account 19-0761 pursuant to 37 CFR 1.25. The Commissioner is hereby requested to credit any overpayment to Deposit Account No. 19-0761.

- ☒ Applicant(s) submit herewith *Form PTO 1449 - Information Disclosure Citation* together with copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may or may not be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56. As required by 37 C.F.R. §1.98(a), a legible copy of each document is provided.

The Cited Art includes:

- | | |
|-------------------|--------------------|
| 1. U.S. 4,706,121 | 8. U.S. 5,479,268 |
| 2. U.S. 4,908,713 | 9. U.S. 5,508,815 |
| 3. U.S. 4,949,187 | 10. U.S. 5,568,272 |
| 4. U.S. 4,963,994 | 11. U.S. 5,790,935 |
| 5. U.S. 5,253,066 | 12. U.S. 5,809,204 |
| 6. U.S. 5,293,357 | 13. U.S. 5,915,068 |
| 7. U.S. 5,477,262 | |

14. "Systems and Methods for Adaptive Scheduling and Dynamic Bandwidth Resource Allocation Management in a Digital Broadband Delivery System," Scientific-Atlanta, Inc. Patent Application, Serial No. 09/590,521, Docket No. A-5704, Filed June 9, 2000.

- ☐ A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on the form PTO 1449 and is enclosed herewith.

The following rights are reserved by the Applicant(s): the right to establish the patentability of the claimed invention over any of the listed documents should they be applied as reference, and/or the right to prove that some of these documents may not be prior art, and/or the right to prove that some of these documents may not be enabling for the teachings they purport to offer.


This statement should not be construed as a representation that an exhaustive search has been made, or that information more material to the examination of the present application does not exist. The Examiner is specifically requested not to rely solely on the materials submitted herewith. The Examiner is requested to conduct an independent and thorough review of the documents, and to form independent opinions as to their significance.

It is requested that the information disclosed herein be made of record in this application and that the Examiner initial and return a copy of the enclosed PTO-1449 to indicate the documents have been considered.

Respectfully Submitted,

SEND CORRESPONDENCE TO:
Scientific-Atlanta, Inc.
Intellectual Property Dept. MS 4.3.518
5030 Sugarloaf Parkway
Lawrenceville, GA 30044

By:


KELLY A. GARDNER
Attorney of Record
Reg. No.: 35,147
Phone: (770) 236-7866
Fax No.: (770) 236-4806

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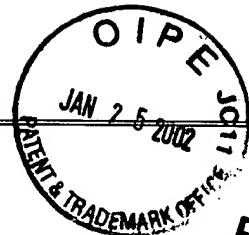
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on DECEMBER 20, 2001.


Maryellen Lucker

Form PTO-1449		U.S. Dept. of Commerce, Patent and Trademarks LIST OF ART CITED BY APPLICANT (Use several sheets if necessary)					
Attorney Docket No. A-7259		Serial No. 09/896,231			Filing Date JUNE 29, 2001		
Applicant: RODRIGUEZ ET AL.				Group 2612			
U.S. PATENT DOCUMENTS							
Examiner's Initial	Document No.	Date	Name	Class	Subclass		
AA	4,706,121	11/10/87	Young	358	142		
AB	4,908,713	3/13/90	Levine	358	335		
AC	4,949,187	8/14/90	Cohen	358	335		
AD	4,963,994	10/16/90	Levine	358	335		
AE	5,253,066	10/12/93	Vogel	358	188		
AF	5,293,357	3/8/94	Hallenbeck	348	734		
AG	5,477,262	12/19/95	Banker et al.	348	7		
AH	5,479,268	12/26/95	Young et al	358	335		
AI	5,508,815	4/16/96	Levine	358	335		
AJ	5,568,272	10/22/96	Levine	386	48		
AK	5,790,935	8/4/98	Payton	455	5.1		
AL	5,809,204	9/15/98	Young et al	386	83		
AM	5,915,068	6/22/99	Levine	386	83		
FOREIGN PATENT DOCUMENTS							
	Document No.	Date	Country	Class	Subclass	Translation	
AN							
AO							
AP							
AQ							
OTHER PRIOR ART (Including Author Title, Date, Pertinent Pages, Etc.)							
AR	"Systems and Methods for Adaptive Scheduling and Dynamic Bandwidth Resource Allocation Management in a Digital Broadband Delivery System," Scientific-Atlanta, Inc. Patent Application, Serial No. 09/590,521, Docket No. A-5704, Filed June 9, 2000.						
AS							
AT							
EXAMINER				DATE CONSIDERED:			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance. Include copy of this form with next communication to Applicant.							



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